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 District of Hawaii

FILED IN THE
 UNITED STATES DISTRICT COURT
 DISTRICT OF HAWAII

APR 28 2004

at 2 o'clock and no min. PM
 WALTER A. Y. H. CHINN, CLERK

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 CLERK, U.S. DISTRICT COURT
 DISTRICT OF HAWAII

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 00-00126-01 MLR
)	
Plaintiff,)	AMENDED FINAL ORDER OF
)	FORFEITURE
vs.)	
)	
MONTEZ SALAMASINA OTTLEY,)	
)	
Defendant.)	
)	

AMENDED FINAL ORDER OF FORFEITURE

WHEREAS, on January 2, 2004, this Court entered a Preliminary Order of Forfeiture, ordering defendant Montez Salamasina Ottley to forfeit:

- (1) Nine Hundred Fifteen Thousand Twenty Dollars and Thirty Cents (\$915,020.30) in United States Currency from American Savings Bank obtained on October 8, 1998, and
- (2) A sum of money equal to Sixty-Six Million Dollars (\$66,000,000.00) in United States Currency,

representing the amount of proceeds obtained as a result of the offense, and all interest and proceeds traceable thereto

(hereinafter collectively referred to as the "Subject Properties"); and

WHEREAS, the United States caused to be published in the Honolulu Star-Bulletin, a newspaper of general circulation, notice of this forfeiture and of the intent of the United States to dispose of the Subject Properties in accordance with the law and as specified in the Preliminary Order of Forfeiture, and further notifying all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the Subject Properties; and

WHEREAS, no timely claim has been filed; and

WHEREAS, the Court finds that defendant Montez Salamasina Ottley had an interest in the Subject Properties that is subject to forfeiture pursuant to 18 U.S.C. § 982(a)(2);

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

- (1) Nine Hundred Fifteen Thousand Twenty Dollars and Thirty Cents (\$915,020.30) in United States Currency from American Savings Bank obtained on October 8, 1998.
- (2) A sum of money equal to Sixty-Six Million Dollars (\$66,000,000.00) in United States Currency,

representing the amount of proceeds obtained as a result of the offense, and all interest and proceeds traceable thereto

are hereby forfeited to the United States of America pursuant to 18 U.S.C. § 982(a)(2).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all right, title and interest to the Subject Properties described above is hereby condemned, forfeited and vested in the United States of America, and shall be disposed of according to law;

IT IS FURTHER ORDERED that any and all forfeited funds, including but not limited to currency, currency equivalents and certificates of deposit, and the proceeds from the sale of any forfeited property, after the payment of costs and expenses incurred in connection with the forfeiture, sale and disposition of the forfeited property, shall be deposited forthwith by the United States Marshals Service into the Department of Justice Assets Forfeiture Fund in accordance with law; and

IT IS FURTHER ORDERED that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Order.

DATED: APR 23 2004, at Honolulu, Hawaii.

MANUEL L. REAL

UNITED STATES DISTRICT JUDGE

U.S. v. Montez Salamasina Ottley
Cr. No. 00-00126-01 MLR
"Amended Final Order of Forfeiture"